IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 9TH OCTOBER 2006 / 17TH ASWINA 1928

Bail Appl..No. 6016 of 2006

CMP.2131/2006 of JUDL. MAGISTRATE OF FIRST CLASS, KOTHAMANGALAM
CRIME NO.47/2006 OF KOTHAMANGALAM EXCISE RANGE

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PETITIONER/ACCUSED

VAKKACHAN @ VAKKAN,
S/O.DEVASSY, MANATHOOR HOUSE,
MYLADUMKUNNU COLONY,
PINDIMANA VILLAGE, KOTHAMANGALAM TALUK.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, KOTHAMANGALAM REP.BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.(INVESTIGATING OFFICER IN CRIME NO.
47/06 OF EXCISE RANGE, KOTHAMANGALAM).

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6016/2006

DATED THIS THE 9TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 14.9.2006, with 2.5 litres of illicit arrack, by the Inspector of Kothamangalam Excise Range, who registered C.R.No.47/2006 of that Excise Range, under Section 8(1) & (2) of the Abkari Act. The petitioner remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. The learned Public Prosecutor submitted that the investigation, in respect of the petitioner, is complete and there is no other case registered against him, under the Abkari Act.

3. In the above facts situation of the case, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for

Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Kothamangalam.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 13.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs